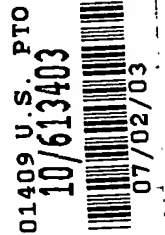


To: Mail Stop Patent Application  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**NEW APPLICATION TRANSMITTAL - UTILITY**

Sir:

Transmitted herewith for filing is a **utility** patent application:**Inventor(s):** Jim E. Newton, Christian Scheiba**Title:** ENCAPSULATING PARAMETERIZED CELLS (PCELLS)**I. PAPERS ENCLOSED HEREWITH FOR FILING UNDER 37 CFR § 1.53(b):**

- 15 Page(s) of Written Description  
4 Page(s) Claims  
1 Page(s) Abstract  
7 Sheets of Drawings ☐ Informal ☒ Formal

**II. ADDITIONAL PAPERS ENCLOSED IN CONNECTION WITH THIS FILING:**

- ☐ Declaration  
☐ Power of Attorney ☐ Separate ☐ Combined with Declaration  
☐ Assignment to \_\_\_\_\_ and assignment cover sheet  
☐ Certified Copy of Priority Document No(s): \_\_\_\_\_  
☐ Information Disclosure Statement w/PTO 1449 ☐ Copy of Citations  
☐ Preliminary Amendment  
☒ Request and Certification under 35 U.S.C. § 122(b)(2)(B)(i). Applicant must attach form PTO/SB/35 (1 pg.)  
☒ Return Postcard  
☒ Other: Title Page (1 pg.) and Fee Transmittal (in duplicate)

**III. PRIORITY**

- ☒ Priority of application Serial No. 60/394,108, filed on July 2, 2002 is claimed under 35 U.S.C. § 119.

**IV. THE FILING FEE HAS BEEN CALCULATED AS SHOWN BELOW:**

- ☐ Applicant claims small entity status pursuant to 37 CFR § 1.27

<b>BASIC FILING FEE:</b>								\$750.00
Total Claims	15	-	20	=	0	x \$18.00	\$0.00	
Independent Claims	3	-	3	=	0	x \$84.00	\$0.00	
Multiple Dependent Claims	(if applicable)						<input type="checkbox"/>	\$0.00
<b>TOTAL OF ABOVE CALCULATIONS</b>								\$750.00
Reduction by ½ for Filing by Small Entity, if applicable, as asserted above. Note 37 CFR §§ 1.9, 1.27, 1.28.								\$0.00
Misc. Filing Fees								\$0.00
<b>TOTAL FEES DUE HEREWITH</b>								\$750.00

**V. METHOD OF PAYMENT OF FEES**

- ☐ A check in the amount of \_\_\_\_\_.
- ☒ Charge Bingham McCutchen's Deposit Account No. **50-2518**, referencing billing no. **7020002001**, in the amount of **\$750.00**.
- ☐ This application is being filed without fee or Declaration under 37 CFR § 1.53.

**VI. AUTHORIZATION TO CHARGE FEES**

The Commissioner is authorized to credit any overpayment and to charge any underpayment to Bingham McCutchen's Deposit Account No. **50-2518** for the following:

- ☒ 37 CFR § 1.16 – (Filing fees and excess claims fees)
- ☒ 37 CFR § 1.17 – (Any application processing fees)
- ☐ 37 CFR § 1.21 – (Assignment recording fees)

**VII. CORRESPONDENCE ADDRESS**

Please send all correspondence to Customer Number **23639**:

BINGHAM McCUTCHEN LLP  
Three Embarcadero Center  
Suite 1800  
San Francisco, CA 94111-4067  
(650) 849-4400

Please direct all inquiries to **Peter C. Mei**, at the above customer number.

Respectfully submitted,

BINGHAM McCUTCHEN LLP

Dated: July 2, 2003

By: \_\_\_\_\_

*Jeffrey S. Smith*  
Jeffrey S. Smith  
Reg. No. 39,377

# FEE TRANSMITTAL FOR FY 2003

*Effective 01/01/2003. Patent fees are subject to annual revision.*

## Complete if Known

Application Number	Filed Herewith
Filing Date	July 2, 2003
First Named Inventor	Jim E. Newton et al.
Examiner Name	Not yet assigned
Art Unit	Not yet assigned
Attorney Docket No.	CA7020002001

TOTAL AMOUNT OF PAYMENT

**\$750.00**

### METHOD OF PAYMENT

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number **50-2518**

Deposit Account Name **Bingham McCutchen LLP**

- ☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

☐ Applicant claims small entity status. See 37 CFR 1.27

2. ☐ Payment Enclosed:

☐ Check ☐ Credit Card ☐ Money Order ☐ Other

### FEE CALCULATION

#### 1. BASIC FILING FEE

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
1001	750	2001	375	Utility filing fee	<b>\$750</b>
1002	330	2002	165	Design filing fee	
1003	520	2003	260	Plant filing fee	
1004	750	2004	375	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	

SUBTOTAL (1) **\$750**

#### 2. EXTRA CLAIM FEES

	Extra Claims	Fee from below	Fee Paid
Total Claims	15 - 20 = 0	x 18 =	\$ 0
Independent Claims	3 - 3 = 0	x 84 =	\$ 0
Multiple Dependent			\$

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description
1202	18	2202	9	Claims in excess of 20
1201	84	2201	42	Independent claims in excess of 3
1203	280	2203	140	Multiple dependent claim, if not paid
1204	84	2204	42	**Reissue independent claims over original patent
1205	18	2205	9	**Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) **\$ 0**

\*\* or number previously paid, if greater; For reissues, see above.

### FEE CALCULATION (continued)

#### 3. ADDITIONAL FEES

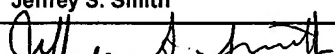
Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for <i>ex parte</i> reexamination	
1804	920*	1804	920*	*Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	*Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	410	2252	205	Extension for reply within second month	
1253	930	2253	465	Extension for reply within third month	
1254	1,450	2254	725	Extension for reply within fourth month	
1255	1,970	2255	985	Extension for reply within fifth month	
1401	320	2401	160	Notice of Appeal	
1402	320	2402	160	Filing a brief in support of an appeal	
1403	280	2403	140	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,300	2453	650	Petition to revive - unintentional	
1501	1,300	2501	650	Utility issue fee (or reissue)	
1502	470	2502	235	Design issue fee	
1503	630	2503	315	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	750	2809	375	Filing a submission after final rejection (37 CFR § 1.129(a))	
1810	750	2810	375	For each additional invention to be examined (37 CFR § 1.129(b))	
1801	750	2801	375	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify) \_\_\_\_\_

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) **\$ 0**

### SUBMITTED BY

Name (Print/Type)	Jeffrey S. Smith	Registration No. (Attorney/Agent)	39,377
Signature		Telephone	(650) 849-4422
		Date	July 2, 2003

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

52112721.1/2019535-7020002001

**NONPUBLICATION REQUEST  
UNDER  
35 U.S.C. 122(b)(2)(B)(i)**

First Named Inventor

Jim E. Newton et al.

Title

ENCAPSULATING PARAMETERIZED CELLS  
(PCELLS)

Attorney Docket Number

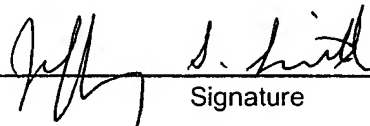
CA7020002001

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing.

I hereby request that the attached application not be published under 35 U.S.C. 122(b).

July 2, 2003

Date



Signature

(650) 849-4422

Telephone number

Jeffrey S. Smith, Reg. No. 39,377

Typed or printed name

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**

This collection of information is required by 37 CFR 1.213(a). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 6 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.